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PART IV.

Legislative measures and Rules thereunder.

NOTIFICATIONS.

No. L. 8701—Ml. 203-35-5, dated Bangalore,
14th May 1936.

The following draft of the rules relating to the appointment of Engineers and Health Officers in City Municipalities which the Government propose to make, in exercise of the powers vested in them under Section 228 (2) (c) read with Sections 49 (b) (ii) and (c) of the Mysore City Municipalities Regulation, 1933, is published under sub-section 4 of Section 228 of the said Regulation, for the information of all persons interested. Any objections or suggestions which may be received within a month from the date of the publication of the rules will be taken into consideration by Government before the issue of the rules finally.

- (1) Every City Municipal Council shall have a Health Officer and a Municipal Engineer.
- (2) Such Health Officer and Engineer shall be officers lent by Government from their Health and Public Works Departments respectively.

(3) Whenever the Government intend to lend an officer to a City Municipal Council for being appointed as its Health Officer or Engineer, as the case may be, they shall intimate the name of such officer to the President. It will be open to the President and to the Council to make any representations that they may consider necessary. The Government may, after considering the representations, if any, made in this behalf by the President on behalf of the Municipal Council, issue the necessary notification regarding the posting which shall thereafter be given due effect to by the Municipal Council in accordance with law. Provided that in an emergency, the Government may issue the notification posting an officer without previous intimation.

(4) The Health Officer or Engineer lent by Government shall ordinarily hold office for a period of three years, but Government may at any time in the interests of public service withdraw any particular officer so lent and post another in his place after giving due intimation as prescribed in rule 3 above.

(5) The pay and allowances of the officers lent by Government under these rules shall be determined by Government and be borne and disbursed by the Municipal Council. Their leave, pensions, gratuities and other matters shall be regulated by the Mysore Service Regulations and the special or general orders made by Government in this behalf.

By Order,

A. V. RAMANATHAN,

Chief Secretary to Government.

*No. P.7618—Legis. 46-35-37, dated Bangalore, the
16th May 1936.*

1. In virtue of the powers vested in them under Sections 14 and 15 of the Mysore Road Traffic and Taxes Regulation No. VI of 1935, the Government of His Highness the Maharaja are pleased to direct (i) that the toll-gates shown in Statement "A" be abolished with effect from 1st July 1936, (ii) that the toll-gates shown in Statement "B" be newly established with effect from 1st July 1936, and (iii) that the location of the toll-gates shown in Statement "C" be changed as shown therein.

2. Government are further pleased to direct that the two toll-gates close to Nidasale situated in the border of Tumkur District and Mysore District within a mile of each other on the Tumkur-Maddur Road be treated as one toll-gate, the payment of tolls at one gate exempting the vehicle, etc., from payment at the other.

By Order,

M. VENKATESA IYENGAR,
Secretary to Government,
General Department.

STATEMENT "A."

LIST OF TOLL-GATES TO BE ABOLISHED.

- | | | | |
|--|-----|-----|-------------------------|
| 1. Yenagadale | ... | ... | In Kolar District. |
| 2. Dodmetikurki | ... | ... | In Hassan District. |
| 3. Aggunda | ... | ... | |
| 4. At the junction of Tirupati-Huliyar Road. | ... | ... | |
| <i>Note.</i> —In lieu of these toll-gates, one toll-gate shall be established on the road branching off to Tirupati. | | | |
| 5. Byaldal | ... | ... | In Kadur District. |
| 6. Doggihalli | ... | ... | |
| 7. Basthihalli | ... | ... | In Chitaldrug District. |

STATEMENT "B."

LIST OF TOLL-GATES TO BE NEWLY ESTABLISHED.

- | | | |
|---|---|------------------------|
| 1. In the vicinity of Chikjala on the Bangalore-Nandi Road. | } | In Bangalore District. |
| 2. In the vicinity of Chelur, (interior toll-gate). | | |
| 3. A check gate in the vicinity of Banavar, on the Banavar-Belur Road. | } | In Hassan District. |
| 4. A gate at the junction of Channarayapatna-Sravanabelagola Road. | | |
| 5. A toll-gate on the road to Tirupati (<i>vide</i> Note to items 2, 3, 4 of Statement "A"). | | |
| 6. One gate in the vicinity of Sampagodu on the Shimoga-Banavasi Road. | } | In Shimoga District. |
| 7. One gate in the vicinity of Kavaspur on Shikarpur-Masur Road. | | |
- The two toll-gates (Items 6 and 7) shall be frontier toll-gates.

STATEMENT "C."

The following toll-gates shall be shifted from their present places to the places noted below :—

Name of District	Name of toll-gate	Where to be shifted
Kolar	Bethamangala	To the frontier of the State near Venkatagirikote (Frontier toll-gate).
Do	Jangamkote	To the place where Hoskote-Bangalore and Kolar-Sompur Roads meet.
Tumkur	Kodigenahalli	To Muddenahalli on the Border of Madhugiri-Hindupur Road. (Frontier toll-gate).
Mysore	Ankanhalli	Nearer to Frontier. This shall be a Frontier toll-gate.
Do	Sri Krishnarajendra Bridge on Cauvery at T.-Narasipur.	To be shifted to a place to be fixed by the Revenue Commissioner so as to command this bridge as well as the Vani Vilas Bridge on Kabini at which the establishment of a toll-bar has been notified.
Hassan	Belur Bridge	To the East at Hassan-Chikmagalur Road.
Do	Salapur	To the junction of Sukrepatna and Sira Road.
Do	Near Bridge at Keralapura on Ramanathpur-Krishnarajendra Road.	To be shifted to the Bridge at Keralapur.
Shimoga	Huliginkoppa, on Shiralkoppa-Hirekerur Road.	To be shifted to the frontier at Sunnadakoppa. This shall be a Frontier toll-gate.
Do	Bhadravati gate.	To be shifted to the junction of Tarikere-Bhadravati and Tarikere-Koppa Roads.

*No. P. 7630—Legis. 46-35-38, dated Bangalore,
the 16th May 1936.*

In virtue of powers vested in them under Sections 15 and 20 of the Mysore Road Traffic and Taxes Regulation No. VI of 1935, the Government of His Highness the Maharaja are pleased to sanction the establishment of a toll-gate commanding the Vani Vilas Bridge across Kabini at T.-Narasipur and to declare that at this toll-gate composition of tolls under Section 20 is not admissible, as it is established for the recovery of the amount expended on the said bridge.

*No. D. 7037—A. & E. 278-34-4, dated Bangalore,
19th May 1936.*

In exercise of the powers conferred by sub-section (3) of Section 1 of the Sugar Industries Safeguarding Regulation IV of 1934, the Government of His Highness the Maharaja of Mysore are pleased to direct that the said Regulation shall come into force in the Irwin Canal area from 1st July 1936.

*No. D. 7039—A. & E. 278-34-5, dated Bangalore,
the 19th May 1936.*

The following rules framed under Sections 4, 6 and 11 of the Sugar Industries Safeguarding Regulation, 1934, are hereby published for general information :—

In exercise of the powers conferred under Sections 4, 6 and 11 of the Sugar Industries Safeguarding Regulation, 1934, the Government of His Highness the Maharaja of Mysore are pleased to make the following rules :—

SECTION 1—LICENSING OF SUGAR FACTORIES.

1. Any person intending to carry on the business of manufacturing sugar in a factory shall apply for a license to the Secretary to the Government in the Department concerned.

2. The application shall bear a Court fee stamp of the value of Rs. 25.

3. Unless the application is summarily rejected, the particulars of the application and the conditions subject to which it is proposed to grant a license shall be published by the Government of Mysore in the *Mysore Gazette* fixing a date on or after which the matter will be taken into consideration together with any objections that may be received in the meantime.

4. The conditions of a license already granted may be varied by Government, from time to time, after giving adequate notice and an opportunity of urging objections, to the interests concerned.

5. (a) The minimum price or prices at which sugar-cane shall be purchased by a factory shall be fixed and notified by Government from time to time.

(b) If an advisory committee is established for the purpose of fixing the price or prices of sugar-cane in any area, it shall consist of a Chairman and not less than three and not more than six members nominated by the Government of whom not less than one-third shall be chosen to represent the interests of the sugar factory or factories concerned and not less than one-third to represent the interests of sugar-cane growers in the area. The Chairman shall be a person who has no interest directly or indirectly in the sugar industry.

(c) The Committee shall from time to time advise the Government as to the price or prices which may be fixed under sub-rule (a) and any matters connected therewith that may be referred to it by Government for advice.

(d) The Committee shall meet at such times and places as, subject to the orders of Government, if any, may be appointed by the Chairman.

(e) The opinion of the majority of the members present at a meeting shall be regarded as the opinion of the Committee. The Chairman shall have a casting vote.

(f) The proceedings of the Committee shall be reported to Government.

6. The "owner of a sugar factory" means a person to whom a license has been issued under Section 5 of the Regulation. The licensee may, with the approval of the District Magistrate, designate any person concerned with

the management of the factory as "owner" for the purpose of any or all of these rules.

7. The owner of a sugar factory or a licensed purchasing agent shall not purchase sugar-cane for such factory from any person other than (i) the grower of such cane or a person representing himself to be such grower or (ii) a person duly authorised in writing by such a grower to sell and deliver cane on his behalf or (iii) a Co-operative Society for cane supply or (iv) a licensed purchasing agent.

8. Any person wishing to act as a purchasing agent for the supply of sugar-cane to a sugar factory shall apply to the District Magistrate for a license; such license shall not be granted unless (i) a fee of Rs. 25 is deposited with the District Magistrate, (ii) the application is recommended by the factory owner and (iii) the applicant has deposited with the owner the amount prescribed in Rule 9.

9. Such licensed purchasing agent shall deposit with the owner of a factory a sum of Rs. 500 in cash or adequate security of four times that value for the proper performance of his duties as purchasing agent.

10. The owner of a sugar factory or a licensed purchasing agent shall not purchase sugar-cane for a factory or pay for it at a price below the minimum price fixed by Government from time to time.

11. (a) All payments for cane purchased for a sugar factory shall be made at the office of the factory or such other place as may be approved by the District Magistrate, within 14 days of demand, and in cases where no cultivation or cutting advances are given by the factory, the payment shall be made forthwith on demand.

(b) Except as provided in sub-rules (c), (d) and (e) of this rule, no deductions shall be made by way of fine or otherwise from the price of cane purchased which would reduce such price to a figure below that calculated at the prescribed minimum rate.

(c) If any loan has been advanced to the person from whom the sugar-cane has been purchased, the amount of such loan together with simple interest thereon at a rate not exceeding one per cent per month for the period the loan has been outstanding may be deducted subject to the terms of the agreement, from the amount paid for the cane.

(d) Where with the consent of the supplier, transport of the cane to the factory is arranged by the owner of the factory by railway or otherwise, the actual cost of such transport incurred by the owner may be deducted from the amount payable as price of cane.

(e) If any officer of Land Revenue not below the status of Amildar intimates to the owner of a sugar factory that any amount is owing from a cane supplier on account of land revenue in respect of a land from which the cane is supplied to the factory, such amount shall be deducted from the amount payable for the cane and paid to such Amildar or other Revenue Officer.

12. No scales or weights shall be used for purposes of purchasing sugarcane by or on behalf of the owner of a sugar factory or a licensed purchasing agent, which have been disapproved by the District Magistrate.

(a) Provided that the District Magistrate shall not disapprove any scales and weights which weigh correctly to near two per cent:

(b) All scales and weights used, kept or possessed for the purchase of sugar-cane, shall be open to inspection, examination and test by the District Magistrate or any other Magistrate authorised in this behalf by the District Magistrate at all times without notice and shall be made available for such inspection, examination or test when required by such Magistrate.

13. (a) The owner of a sugar factory or a licensed purchasing agent (other than a Co-operative Society for cane supply) shall cause to be put up throughout the cane purchasing season, at each purchasing centre, a notice showing correctly the minimum price or prices fixed by Government and the rates at which cane is being purchased for the sugar factory at the centre.

(b) Entries in such notices shall be made legibly both in English and Kannada and shall be on one side of the paper only.

14. The owner of a sugar factory shall cause to be maintained a register or registers showing:—

(a) the name of the person from whom sugar-cane is purchased with his parentage and full address, together with similar particulars about the person, if any, authorised by the vendor to deliver the cane on his behalf.

(b) weight of the cane purchased.

(c) the rate at which it is purchased.

- (d) the price that is to be paid for it at that rate.
- (e) the amount of loan advanced, if any.
- (f) the amount of interest up to the date of recovery of the same, if any.
- (g) other deductions such as transport charges, land revenue payments, etc.
- (h) the amount actually paid, if any.
- (i) the date of payment.
- (j) the name of the licensed purchasing agent or the person employed by the owner of the sugar factory and acting on his behalf, by whom the sugar-cane is purchased.

15. Whoever, being the owner of a sugar factory or being a licensed purchasing agent for a sugar factory,

(a) purchases sugar-cane for a sugar factory or pays for it at a price below the prescribed minimum price,

(b) fails to make payments for cane purchased for a sugar factory in accordance with the provisions of Rule 11,

(c) knowingly uses for the purchase of sugar-cane, scales and weights which are incorrect or which have been disapproved by the District Magistrate and have not been rectified to his satisfaction,

(d) fails to make available for inspection, examination or test by the officer authorised in this behalf, the scales and weights used, kept or possessed for weighing sugar-cane purchased for a sugar factory,

(e) fails to put up in the manner prescribed any notice required by these rules or puts up a notice which is proved to be incorrect in any material particular,

(f) fails to maintain any register as required by these rules or maintains a register containing an entry which is proved to be incorrect in any material particular,

(g) destroys such register before the expiry of one year from the date of the last entry therein,

(h) fails to make available the register for the inspection of the officer authorised in this behalf when required by him, shall on conviction before a Magistrate be punishable with fine which may extend to Rs. 200 and if a licensed purchasing agent, shall render himself liable to the confiscation of his license.

16. Whoever not being a licensed purchasing agent purchases sugar-cane for a sugar factory shall on conviction

before a Magistrate be punishable with fine which may extend to Rs. 200.

17. Any person selling sugar-cane to a sugar factory falsely representing himself as the grower of such cane or as a person duly authorised by the grower, shall on conviction before a Magistrate be punishable with fine which may extend to Rs. 200.

18. The Government, may, for special reasons, except the owner or licensed purchasing agent of any sugar factory from all or any of the provisions of these rules.

By Order,

M. VENKATESA IYENGAR,

Secretary to Government,

General Department.

No. 3896--L.C., Bangalore, dated 14th May 1936.

Under Standing Order No. 49 of the Standing Orders for the conduct of business of the Mysore Legislative Council, the following Report of the Select Committee on the Bill to further amend the Mysore Land Revenue Code, 1888 is published for general information.

By Order,

C. SUBRAHMANYA AIYAR,

Secretary,

Mysore Legislative Council.

**Report of the Select Committee on the Bill further to amend
the Mysore Land Revenue Code, 1888.**

We, the undersigned members of the Select Committee to which the Bill further to amend the Mysore Land Revenue Code, 1888, was referred, have considered the Bill and have the honour to submit this our Report, with the Bill as amended by us, annexed hereto.

We are of opinion that certain safeguards are necessary for allowing this concession of set off to a party entitled to the payment of money for the recovery of